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Minority ethnic women in the Australian labour market.

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Appendix 2

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Abstract

Despite its predominant focus on gender equity, the present managing diversity discourse in Australia generally overlooks multi-racial feminist perspectives. Consequently equal opportunity legislation and practices, designed for “mainstream” Australian women, do not take into account the diversity of ethnic and socio-cultural contexts and experiences of the “other” women.

Three critical issues determine the status of — and opportunities for — minority ethnic women in organisations:

1. Multiple disadvantages due to the joint impact of gender and racial discrimination;
2. The increasing precariousness of their employment under current economic and industrial relations agendas, and
3. The absence of appropriate legal and institutional structures for their inclusion into society and organisations.

Particularly relevant to the last issue is the fact that their English language deficiency serves as a major barrier to these women's participation and equal opportunity in employment.

To this end, critical issues need to be addressed through appropriate reforms in social and business infrastructures, without which minority ethnic women will remain disadvantaged in the Australian labour market.

Introduction: The Narrow Agenda

Despite the pre-dominant focus on women within equal opportunity legislation in Australia (de Cieri & Kramar 2003:252), overall progress towards gender equity remains extremely slow (Beck & Davis 2004:7). An increase in the female labour-force participation rate in Australia has not meant equal workforce participation for women (Goward 2004, online).

Women still remain disadvantaged in terms of their careers, and also in terms of their positions and compensation within organisations. For the majority of these women, Jacobs claims, gender equity is generally limited to their early career stages, with this equity diminishing at higher levels in organisations (2004).

There are significant gender gaps in terms of income. Based on average full-time weekly earnings, women earn only 84.7 cents in the “male” dollar, a pay gap that

widens to 63.5 cents in the male dollar when casual and part-time workers are taken into account (ABS 2004). It is worth noting that women in general constitute 73 percent of all part-time employees in Australia (ABS 2001), thus occupying positions which are known to be less secure, less well paid and with less access to training and career progression (Goward 2004, online).

This female disadvantage is amply reflected in terms of sex discrimination complaints received each year by the Human Rights and Equal Opportunity Commission (HREOC). During the period July 2003 to June 2004, the HREOC received a total of 353 new complaints with respect to sex discrimination out of which 86 percent were filed by women and 88 percent were employment related (HREOC 2004a).

This gender gap is no mere coincidence but a reflection of the structural barriers faced by women in Australian society. An ASSA policy analysis report (2004) found that there was generally a lack of focus on the needs of women in current planning for demographic change, and specifically “the needs of diverse groups of Australian women have been ignored” (p.4).

This report, which highlighted the fact that women who do not conform to mainstream (white Anglo-Australian women) stereotypes may be even more disadvantaged than others, identified indigenous and migrant women as the ethnic groups most likely to be overlooked in Australian labour policies.

The Multiple Disadvantages

The status and roles of women are generally shaped by gender ideology prevalent within a society. Chafetz suggests that gender ideology may be defined as belief systems that “explain how and why males and females differ; specify on that basis different (and inevitably unequal) rights, responsibilities, restrictions and rewards to each gender; and justify negative reactions to non-conformists” (1990:35).

These belief systems, which in the main represent historical as well as contemporary phenomena, are often shaped and dictated by the masculine elite (Curtis 1986).

As a consequence, a gender-stratified version of a society would generally reflect the perceptions, experiences and priorities of its dominant male members (Reskin 1988).

The phenomenon becomes rather complex when more than one gender ideology and cultural system operates in a society. Within a multicultural context such as Australia, it is likely that the perspectives of various ethnic and religious groups would be different

based on their diverse social definitions of gender.

These definitions have a key role in producing gender differentiations that underpin the nature and the direction of multiracial gender relations not only in organisations but in society overall.

Chammartin argues that due to historical and economic factors, minority ethnic women are generally more vulnerable to racist and sexist discrimination in employment compared to either working, white women or working men from their own community (2004).

Gender and ethnicity together construct a specific location in a given social system, and for this reason it would be inappropriate to treat these systems of domination separately.

Minority ethnic women have traditionally been concentrated in the lowest paying, lowest skilled jobs lacking power and prestige (Winston 1991:778).

While Australia has a history of heavy racist baggage, this racism (which was in many instances state-sponsored) is not exactly “old”.

As recently as 1973, rules pertaining to who could apply to become an Australian citizen varied according to the race and ethnic origin of the person (HREOC 2003a:35).

The “White Australia Policy” excluded all people from non-European origin. Equal pay status was granted to Australia’s indigenous population as recently as 1966 (p.46). Australia’s Chinese migrants (SBS, online), from the time of their arrival in the first half of the 1800s, fell victim to racist attitudes.

And even more recently, Australia has seen the rise of Islamophobia in the aftermath of the “nine-eleven” attacks upon the U.S. (Poynting & Noble 2004).

The historical roots of racism are also evidenced in media, for example *The Bulletin* magazine, a popular voice for an emerging Australian nationalism in the late nineteenth century. In 1887, *The Bulletin* defined Australian identity as follows:

All white men who come to these shores—with a clean record—and who leave behind them the memory of class distinctions and the religious differences of the old world ... are Australian. In this regard all men who leave the tyrant-ridden land of Europe for freedom of speech and right of personal liberty are Australians before they set foot on the ship which brings them hither ... No nigger, no Chinaman, no lascar, no kanaka, no purveyor of cheap coloured labour is an Australian

(White 1981:81).

It is with this background in mind that we approach issues of ethnic minorities and in particular those of minority ethnic women who we consider deserve special attention.

Today, racism has receded from its previous position of overtly discriminatory behaviour to subtle structural disadvantages for “non-mainstream” groups.

It is, however, a fact that the traditional gender discourse in Australia is governed by ethnicity-evasive language and a preference for individual rather than group remedies for gender issues at work (ALHR, online). Such a discourse does not take into account the multiple disadvantages faced by minority ethnic women in social and organisational contexts. We see the approach as inherently flawed for it fails to address both the primary and pervasive nature of race, ethnicity

and religion, and how social relations shape — and are shaped by — various socio-cultural backgrounds.

Thus, contrary to the classical feminist perspective that treats all women’s issues as primarily the same, that is, based on issues of sexuality, family and socialization (Collins 1997), minority ethnic women remain subject to feelings of being “others” and “outsiders” within “mainstream” Australian society.

For them, this feeling of “otherness” is part of their everyday lives, whether in the workplace, the shopping mall, or through media.

It can be conveyed in a variety of small or big, symbolic or substantive ways. For example, the differentiating signals of dress in Australian organisations are often governed by a western model, a code of perceived “appropriate” dress or “appropriate” hairstyle that may be quite alien to women from other cultural contexts, such as Muslim women, who may like to retain their own personal and cultural choices (Zinn & Dill 1996).

Australia, one of the most multicultural societies in the world today, has an official policy of multiculturalism (COA 2003).

However, despite this declared policy and focus on gender equity issues, minority ethnic women constitute a widely ignored part of Australian society (ALHR, online).

These women’s perspectives and experiences in organisations are reported to be very diverse and different from those of mainstream Australian women (ASSA 2004, HREOC 2003b).

One key finding of a recent study by the Equal Employment Opportunity Network of Australia (EEONA) highlighted the fact that diversity programs in Australia are not in effect diverse.

Moreover, the study identified business case and legal pressure as main drivers of diversity in Australian organisations (Bourke 2004: p.15). Indeed, and as Beck and Davis suggest, social cases of diversity constitute a low priority item in the current industrial relations agenda of the Howard Government (2004:1).

As a consequence, existing legal structures in Australia are generally insensitive to the perspectives and experiences of people from ethnic minorities. There is an under-representation of minority ethnic women (compared to males) as well as mainstream white Anglo-Australian women, not only in employment in general but also in senior positions in organisations. For instance, unemployment rates for indigenous women, as compared to the total population of women, reflect a significant problem: 20 percent for indigenous women and 8.3 percent for women in the general population (ABS 2001).

There is a consistent pattern of disadvantage that workers from non-English speaking background (NESB) face in the Australian labour market. For instance, these workers suffered greater job loss and higher increases in unemployment than either English-speaking migrants or Australian-born persons in the 1974-75, 1982-83 and 1990-92 recessions.

This disadvantage is rather acute for the NESB women. The unemployment rate among NESB women aged over 25 was reported to be much higher than for

other women in the same age group, 11.3 percent versus 3.9 percent (Tierney 1996).

This disparity is evidenced at all levels within organisations. Persons from NESB represent only 3 percent of senior executives in organisations and 10 percent of board members (Bourke 2004:15).

Generally there is lack of gender-segregated data with respect to minority ethnic workers, a trend that resonates a global phenomenon, that is, the invisibility of minority ethnic women in statistics (WCR 2001).

Despite their low representation in population figures (In 2001, 16 percent of the Australian population speak a language other than English at home — ABS 2003), NESB women have lodged a higher than average percentage of sex discrimination complaints with the HREOC.

For instance, out of a total number of 380 complaints received by the commission in 2002-2003, 96 complaints (more than 25 percent) were filed by persons from non-English speaking backgrounds, and 11 by persons from indigenous backgrounds. This constitutes a total of 107 reports (28.15 percent of total complaints) filed by this group that is the target of multiple forms of discrimination.

The actual figures are, however, expected to be higher because many sex-discrimination incidents relating to NESB women are likely to go unreported due to factors including: English-language barrier, lack of information, “weak” visa status (work hours limit, not entitled to work or illegal), and other cultural difficulties.

In a recent report on sexual harassment produced by the HREOC, it was acknowledged that persons with little or limited English-language skills were less likely to participate in surveys and other statistics.

The report acknowledged that a complaints system requiring complaints to be submitted in writing may have had an inhibiting effect on persons from non-English speaking backgrounds, making it less likely that they will report incidents of sexual harassment. It was thus concluded that the proportion of complainants of sexual harassment in employment, who speak a language other than English at home, is under-represented vis-a-vis their proportion in the wider Australian society (HREOC 2004b:31).

Thus we argue that in addition to these factors, NESB women have limited access to and familiarity with anti-discriminatory laws that are chiefly tabled in the English language.

Also, due to cultural reasons, these women are more likely to refrain from reporting sex-discrimination cases to the HREOC.

For example, Muslim women’s cultural traditions of modesty and inhibitions may discourage them from reporting such incidents for fear they will bring disgrace and dishonour not only to themselves but also to the family (Syed & Ali 2005).

Precariousness of Employment

Disadvantaged due to the intersecting factors of gender, ethnicity and religion, minority ethnic women

remain soft targets for exploitation. Due to their generally low socio-economic status and poor English-language skills, these women find it difficult to deal with and effectively address issues such as job discrimination, sexual harassment and below-award rates of pay.

Chammartin claims that some of these women (for example, newly-arrived immigrants and/or asylum seekers) are known for their high vulnerability to sexual or physical abuse in social and organisational contexts (2004).

In addition to disadvantage based on gender, ethnicity and religion, there are a number of other structural barriers faced by these women in the labour market. These include: (often ill-conceived) perceptions of their education and training (frequently “foreign” qualifications are considered not to be the equivalent of corresponding Australian degrees or certificates), inadequate command of English (including “inadequate” accent) and lack of traditional social support networks.

Consequently, these women have limited choices, often described as “the 3Ds of employment”, that is, dirty, dangerous and difficult jobs. These perceived 3D jobs include work such as domestic servants, sex workers (Brockett & Murray 1994), helpers in restaurants and hotels, sales girls and assembly-line workers in labour-intensive manufacturing industry (Saltu 2000).

Minority ethnic women, who are already disadvantaged due to being cut off from their networks of socio-cultural support, face extraordinary hardships in terms of these three-dimensional jobs.

Most of these women do not enjoy equal access to education and training facilities, thus their prospects for growth in their careers are very limited.

Because of their marginalized status, these women are not only subject to exploitation by unscrupulous employment agencies and employers but are forced to work long hours without appropriate industrial-safety measures in place and in conditions of poor hygiene.

The impact of poor working conditions on these women results in a high incidence of chronic injury and ongoing health problems.

Their employment in low-status jobs with a high rate of occupational injury adds to the pressures of migration and family responsibility, by extension rendering these women vulnerable to mental and physical illnesses.

The textile industry in Australia is one such sector in which minority ethnic women are generally employed in marginalized roles. These women have been described as working under enormous pressure “at the bottom of the capitalist economic production chain” to meet rush orders for retailers. Women constitute about 65 percent of textile, clothing and footwear (TCF) workers in Australia, and three-quarters of them are immigrants from non-English-speaking countries. These workers have the second-highest rate of work-related injuries and illness in the manufacturing industry.

According to a study undertaken by Working

Women's Health, occupational health and safety regulations in Australia cater mostly for men's needs and generally neglect those of working women from non-English-speaking backgrounds (Saltau 2000).

The report highlighted the fact that minority ethnic women who are injured at work rarely make claims for Work Cover, partly because of language difficulties and also due to lack of access to information, "which means that they are often forced to work until they are chronically injured."

The report revealed that employers would "rather push people to resign from their jobs by ignoring the doctor's advice of injury management or by humiliating them."

It was also reported that NESB women working in the textile sector experience several types of illness including musculoskeletal disorders related to occupational overuse syndrome, work-related eyesight problems, industrial deafness and the damaging effects of dust and hazardous substances. Musculoskeletal disorders were reported to be worsened by lengthy work shifts in garment factories.

The report finally concluded that there was a great probability that many injured persons from NESBs, who want to (or have to) retain their employment "have to put up with being humiliated by their employers while they endure the pain from injury or disease."

The Working Women's Health spokesperson expressed her concern over this state of affairs as follows: "It is not acceptable that the direction in which our industries, our work practices, and industrial policies are heading should impact so adversely on non-English-speaking background women workers' health" (Chang 2000).

The report reveals that minority ethnic women are disadvantaged in organisations not only in economic terms but also in physical and psychological terms.

Within the context of the clothing industry, it would be imperative to examine the case of outworkers in Australia, most of whom are migrant women. This area is characterised by the structural disadvantage faced by these women as well as lack of access to social resources.

Home-based outwork centres in Australia have been described as "occupational ghettos" for "migrant women working in sweated areas of the economy" (Alcorso 1995). These "ghettos" have moved from the factory into the home, thus creating conditions rather harsh, unfair, and hard to access.

The outworkers (also known as pieceworkers as they are paid on piece-rate production basis) outnumber factory workers by approximately 14:1 (TCFUA 1995).

In 1995, more than 300,000 clothing outworkers were estimated to be involved in this industry mainly comprising Chinese, Vietnamese and other Asian-born women. This is a very high number given the fact that in 1991 there were only 360,000 Asian-born women in Australia. According to Textile, Clothing and Footwear Unions of Australia (TCFUA), there is an extreme level of exploitation among these outworkers such as: harsh working conditions (irregular pattern of work, which during peak production time can be as high as 12-18

hours a day, seven days a week), unfair compensation (about one-third of the award rate), widespread intimidation, abuse and harassment by employers and lack of access to social and professional services (such as occupational health and safety, insurance, superannuation, leaves and other services enjoyed by regular factory workers) (TCFUA 1995: 4).

The NESB women at these "ghettos" remain invisible employees, unlikely to be officially noticed or reached by government, community or other agencies and, therefore, disempowered and subject to extreme exploitation (Alcorso 1995).

The experiences of NESB women in the public sector are not much different from those in the private sector.

According to a report on New South Wales public employment, NESB women were found to be paying a "heavy double load" in the workplace.

The report revealed that these women in general have limited access to part-time or flexible work arrangements compared with the "mainstream" women.

NESB women also have less confidence than their English mother-tongue counterparts when negotiating part-time and job-sharing options with employers. Because of their concentration in blue-collar jobs, these women are often not entitled to flexible work agreements, which are generally limited to white-collar workers. This is despite the fact that many NESB women need flexible work arrangements to look after their children and families.

It was reported that while nationally about 59 percent of Australian-born women have children, a much higher proportion (77 percent) of employed NESB immigrant women have children.

The report highlights the fact that despite higher levels of family responsibilities, NESB women are generally working long hours with little choices available to them through flexible workplace agreements (DEOPE 1993). All of this adds to their professional and personal stress in life.

Legal and Other Structural Barriers

The scope and the applicability of anti-discrimination laws in Australia is quite limited in each of the Australian states and territories, as in many respects they are not subject to federal legislation. Major anti-discrimination acts at the federal level include: the Racial Discrimination Act 1975 (RDA), the Sex Discrimination Act 1984 (SDA), the Disability Discrimination Act 1992 (DDA), and recently the Age Discrimination Act 2004 (ADA).

The Workplace Relations Act 1996 (WRA) contains a broad category of areas dealing with unlawful termination of employees on discriminatory grounds including gender, ethnicity and religion.

According to Dent, there is, however, no specific federal legislation that prohibits discrimination on the basis of religion (2002:24). This loophole has at times given rise to complex situations for employees, employers and other stakeholders. For example, a Muslim IT worker in Sydney was threatened with termination after praying during working hours. The

worker subsequently won a reprieve following a deal that was struck between his employer and the union. The NSW Labour Council was, however, concerned over the fact that the state anti-discrimination law did not cover religions such as Islam or Christianity: "It is outrageous that workers should be forced to choose between their jobs and their religions" (LaborNet 2002).

The case was seen as a message to employers that they should be reasonable when dealing with workers from different cultural backgrounds. The employer stated that the issue was "not about religion, but about security and safety issues and all employees working within set employment conditions."

Indeed, this type of lack of multicultural understanding may result in quite opposite perspectives about the same issue by different parties.

In 1998, the HREOC recommended to the federal government that religious discrimination be made unlawful in all areas of public life. But this recommendation was never acted upon.

To reinforce its arguments, the commission launched a website forum on racism in 2003 to ascertain whether Muslims constitute an ethnic group.

The acting race-discrimination commissioner expressed his concern, stating that while Jews and Sikhs were covered by the federal act as ethnic groups, Muslims were not.

The Australian courts had yet to decide whether Muslims shared an "ethnic origin" as well as a religion.

The commissioner stated: "It may seem anomalous that anti-Semitism is outlawed but Islamophobia is not" (Morris 2003).

This legal loophole has ultimately resulted in considerable disadvantage for Muslim workers in Australia, and in particular for Muslim women, who are easily identified by their wearing of the *Hijab* (head scarf). This "identification" at times puts them at a multiple disadvantage:

I'm a qualified dental technician and it was really hard for me to get employment with my scarf. I applied for a position at a dental laboratory and the boss, well we talked on the phone and everything was OK. When he saw me for the first time he was shocked. But I had all the qualifications and experience, and I got employment for two weeks. Then he told me I was a really good and hard worker but that I could not continue being employed there unless I take off that scarf ... I asked him 'Are there any other reasons why you wouldn't give me this job?' He said 'No. You're a really nice person and a hard worker but I don't want to bring religion into my laboratory (HREOC 2003b: Ref. 151).

While there is no explicit claim within the Australian human rights and equal opportunity systems that excludes the intersection of religion (or race) and gender discrimination, it treats them as mutually exclusive.

The race discrimination is generally discussed in relation to men, and gender inequality is discussed in relation to white women (WCR 2001). The problem is evidenced in anti-discrimination laws. To lodge a complaint of discrimination, experiences of racially disadvantaged women are required to be re-interpreted as being about sex or race. We refer to the following case to illustrate the artificiality of dividing race and sex:

Two Vietnamese women made a complaint of discrimination to the NSW Equal Opportunity Commission after being denied

employment with Australia Post for failing to meet minimum body weight requirements. They alleged discrimination on the grounds of race and sex. This case went to the High Court and was decided on an issue of inconsistency of state and federal laws (Dao and Anor v. Australian Postal Commission (1987) 162 CLR 317).

The complainants' body weight, which may be a biological characteristic of these women's ethnicity and gender (Asian and women), could not meet employer's weight specifications. It is however quite likely that an Asian man or a Caucasian person would not have been disadvantaged by this regulation of Australia Post. The above case demonstrates that the intersection of race and gender may result in a multiple-disadvantage in which racial discrimination is hard to distinguish from the gender discrimination.

As a consequence, contrary to what the law requires, the affected women may not be able to say that their experience of discrimination is because of race as distinct from sex.

This disadvantageous position is not just limited to legal structures. Even beyond the legal domain, there is evidence of overall societal bias against minority ethnic groups. Take, for example, the media onslaught against Arabs and/or Muslims in the aftermath of the September 11 attacks in the U.S. Consider this statement by an Arab respondent:

Whenever a Muslim does something, in the media they highlight their name and the fact of their religion but whenever someone else does it they never ever barely mention their name or their religion. Why only when it's a Muslim or an Arab they have to mention where they're from? (HREOC 2003b: Ref. 173).

A further question worthy of consideration at this juncture is: what could be the possible implications of such systematic bias against minority ethnic women?

Australian society in the next few decades is predicted to experience a significant decline in labour-force participation rates, a phenomenon that has been attributed to the overall ageing of the population (Productivity Commission 2004).

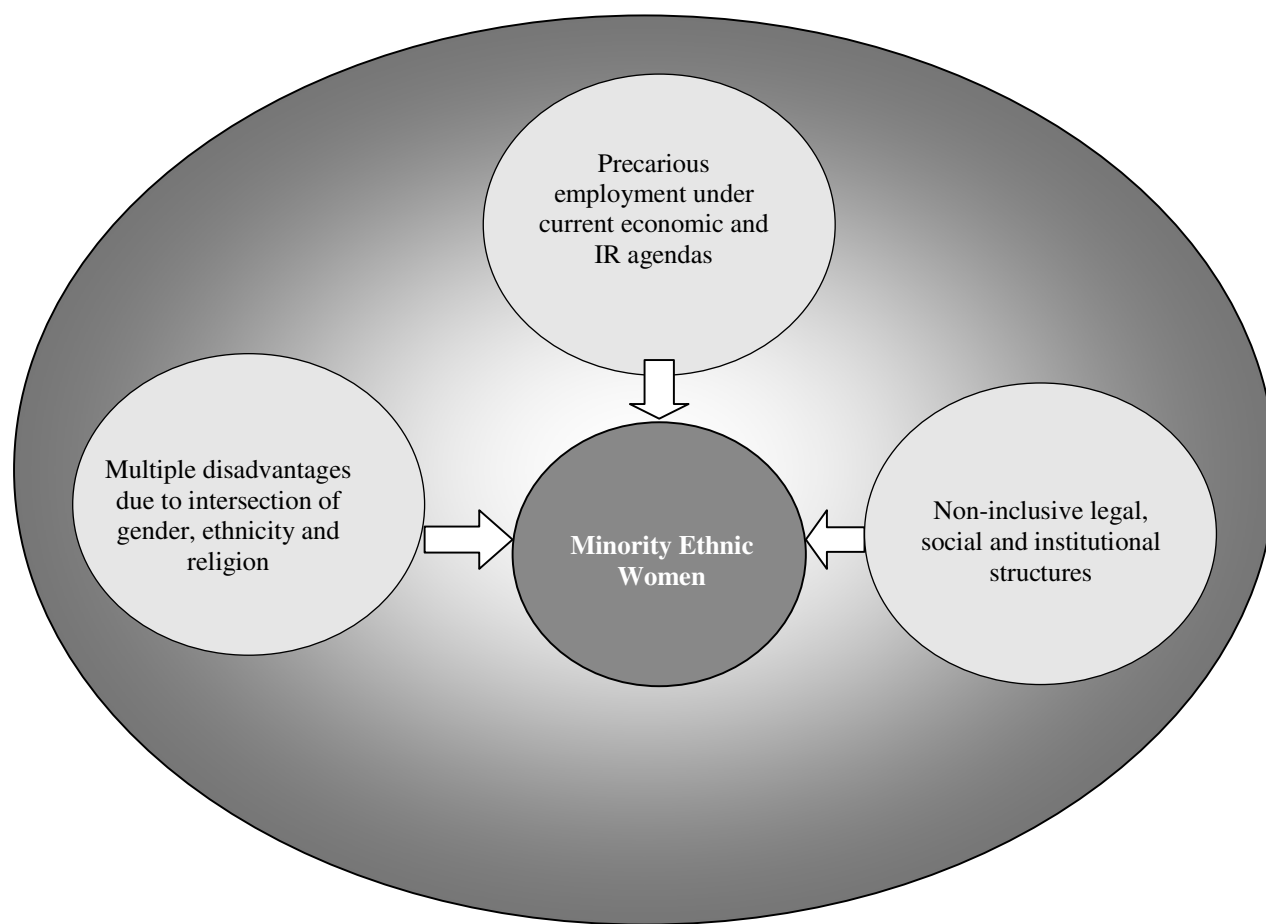
The Business Council of Australia (BCA) in its 2004 policy paper proposed a dual approach to address this issue by focusing on older workers (through changes in retirement age, and superannuation and pension regulations) and female workers (by improving the workplace flexibility) (*Workplace Express* 2004).

Workers from ethnic minorities were, however, ignored in this proposition to address the issue of decreasing labour-force participation rates. This despite the fact that all other long-term options are being explored, such as the Treasurer Peter Costello's impassioned appeal: "If you can have children it's a good idea to do so — you should have one for the father, one for the mother, and one for the country, if you want to fix the ageing demographic" (*Sydney Morning Herald* 2004). However, no such appeal was made to improve the minority ethnic workers' labour force participation rates.

Conclusions

Based on our discussion in the previous sections, we conclude that minority ethnic women in Australia face the structural and dynamic consequences of the

Figure 1. Critical Issues Faced by Minority Ethnic Women in Australia



intersection between two or more forms of systems of subordination. Accordingly, we identify three issues as critical for any future policy regarding minority ethnic women in the work place. These issues are illustrated in Figure 1.

As shown in Figure 1, diversity initiatives in Australia have traditionally failed to address multi-racial feminist perspectives, thus resulting in multiple disadvantages of minority ethnic women in social and organisational contexts. We argue that the Australian model of diversity management will remain inadequate unless it takes into account the joint impact of the intersecting processes of gender, race and religion. We therefore propose that future policy initiatives at micro and macro levels should recognise diversity in women's backgrounds and perspectives, instead of privileging the "mainstream" Australian lifestyle over the "others". Within this context, two aspects need further investigation. First, how would such reforms impact the relationship of minority ethnic women with their mainstream counterparts? Would the differences of power embedded in institutional structures (Ganguly 1997) make it difficult for multicultural feminists to agree on common theories and practices? And second, how would this phenomenon shape minority ethnic women's roles and status within Australian society and organisations?

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